

TERMINAL DISCLAIMER TO OBViate A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)
050623.00317

In re Application of: Syed F. A. Hossainy

Application No. 10/718,976

Filed: November 20, 2003

For: Coatings For Implantable Devices Comprising Polymers Of Lactic Acid And Methods For Fabricating The Same

The owner*, Advanced Cardiovascular, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/925,257, filed on August 23, 2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney of record. Reg. No. 44,826



September 26, 2008

Signature

Date

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Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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